

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

ELMARKO D. IRON,

Plaintiff,

Case No. 1:12-cv-280

v.

HON. JANET T. NEFF

CALHOUN COUNTY JAIL, et al.,

Defendants.

ORDER

This is a civil rights action filed pursuant to 42 U.S.C. § 1983. Defendants Vergin, Tendziegloski and Watson filed a motion to dismiss or alternatively for summary judgment, and Defendant Wellman¹ filed a motion for summary judgment. The matter was referred to the Magistrate Judge, who issued a Report and Recommendation on February 5, 2013, recommending that this Court grant Defendants' motions for summary judgment and terminate this matter. The Report and Recommendation was duly served on the parties. No objections have been filed. *See* 28 U.S.C. § 636(b)(1). Therefore,

IT IS HEREBY ORDERED that the Report and Recommendation (Dkt 27) is APPROVED and ADOPTED as the Opinion of the Court.

IT IS FURTHER ORDERED that Defendants Vergin, Tendziegloski and Watson's Motion for Summary Judgment (Dkt 17) and Defendant Wellman's Motion for Summary Judgment (Dkt 20) are GRANTED.

¹The names listed for the defendants do not necessarily coincide with those listed in the amended complaint or docket sheet, but they are one and the same.

IT IS FURTHER ORDERED that this Court certifies pursuant to 28 U.S.C. § 1915(a)(3) that an appeal of this decision would not be taken in good faith. See *McGore v. Wrigglesworth*, 114 F.3d 601, 611 (6th Cir. 1997).

A Judgment will be entered consistent with this Order.

Dated: February 26, 2013

/s/ Janet T. Neff
JANET T. NEFF
United States District Judge